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EXAMINER

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.



## **DETAILED ACTION**

### ***Election/Restrictions***

1. Applicant's election without traverse of Species 1, Figure 3, claims 1-3, 5-8 and 10-13, in the reply filed on August 27, 2008 is acknowledged.
2. Claims 4 and 9 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on August 27, 2008.

### ***Claim Objections***

3. Claims 1 and 6 are objected to because of the following informalities:  
  
Claim 1 (line 2) recites "tarpaulin or similar". It should recite --tarpaulin--.  
  
Claim 1 (lines 2-3) recites "where this molding includes". It should recite --the molding including--.  
  
Claim 1 (line 3) recites "more or less parallel". It should recite --substantially parallel--.  
  
Claim 6 (line 2) recites "is "V" shaped". It should recite --is V-shaped--.  
  
For the purpose of examining the application, it is assumed that appropriate correction has been made.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1, 2, 5, 6, 8 and 10-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Uetake et al. (US 4,916,767).

As to claim 1, Uetake et al. disclose a molding **4** for the securing of a fabric **2** or tarpaulin in a groove of a supporting structure **3**, the molding including a core **A** from which extend at least two elastically deformable wings **B** (Figure 6 reprinted below with annotations), substantially parallel to each other and separate from each other, as well as elastically deformable reinforcing resources **C** positioned between the wings,

characterized in that the reinforcing resources include at least one bowed spacer **C** extending between the two wings and connecting the ends of the wings located away from the core, the reinforcing resources including end-stop resources **D** intended to limit the movements of the spacer, and designed to oppose bending of the spacer after a certain point of approach of the wings (end-stop resources **D** are oppose bending of spacer **C** at any point during any flexing of wings **B**; Figure 6).



As to claim 2, Uetake et al. disclose a molding characterized in that the core **A**, the wings **B** and the bowed spacer **C** form a single-block assembly (Figure 6).

As to claim 5, Uetake et al. disclose a molding characterized in that a concave side of the spacer **C** is oriented away from the core **C** (Figure 6).

As to claim 6, Uetake et al. disclose a molding characterized in that the spacer **C** is V-shaped (Figure 6).

As to claim 8, Uetake et al. disclose a molding characterized in that the end- stop resources include at least one rib **D** attached to the spacer **C** extending in the direction of the core **A** (Figure 6).

As to claim 10, Uetake et al. disclose a molding characterized in that each wing **B** has a convex securing shape, in the vicinity of its end away from the core **A** and on its outer face (Figure 6).

As to claim 11, Uetake et al. disclose a molding characterized in that the base of each wing **B** is located at a distance from a nearest edge of the core **A** of the molding (Figure 6).

As to claim 12, Uetake et al. disclose a molding characterized in that the core **A** is substantially flat (Figure 6).

As to claim 13, Uetake et al. disclose a decorative or advertising panel that includes:

a support structure **3** which has at least one peripheral groove,  
a rod **4** inserted into in the groove in order to clamp within it a stretched fabric **2** or tarpaulin,  
characterized in that the rod is composed of a molding **4** (Figure 6).

### ***Response to Arguments***

6. Applicant's arguments filed February 4, 2009 have been fully considered but they are not persuasive.

As to claim 1, Attorney argues that:

Uetake et al. do not disclose a molding wherein the reinforcing resources include end-stop resources intended to limit the movements of the spacer, and designed to oppose bending of the spacer after a certain point of approach of the wings.

Examiner disagrees. As to claim 1, Uetake et al. disclose a molding **4** wherein the reinforcing resources **C** include end-stop resources **D** intended to limit the movements of the spacer **C**, and designed to oppose bending of the spacer after a certain point of approach of the wings **B** (end-stop resources **D** opposes bending of spacer **C** at any point during any flexing of wings **B**; Figure 6).

### ***Conclusion***

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MICHAEL P. FERGUSON whose telephone number is (571)272-7081. The examiner can normally be reached on M-F (6:30am-3:00pm).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (571)272-7087. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MPF  
04/10/09

/Michael P. Ferguson/  
Primary Examiner, Art Unit 3679